



FARMINGTON VALLEY TRAILS COUNCIL

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3.27.12

Re: S.B. 445, Session Year 2012, "An Act Concerning Liability for the
Recreational Use of Land."

Bruce Donald
President

Honorable Legislators:

Preston Reed
Founder

On behalf of our Board of Directors and our over 1,600 members, I wish to express our concern regarding S.B. 445. Specifically the repeal of important parts of P.L. 11-211 which protect municipalities from spurious personal injury lawsuits. We oppose any such legislation.

Board Members:

Nancy Anstey
Jim Cassidy
Stephen Cole
Ron Coleman
Barbara Collins
Mary-Jane Gately
Joy Himmelfarb
Jerry Ledger
Scott Myrick
Steve Noble
Allen Ryan
Dwight Weed

The Farmington Canal Heritage Trail (FCHT) is an existing, vibrant and extremely popular corridor for alternative transportation in our state, sanctioned and officially designated by the State of Connecticut. It extends through New Haven and 12 other towns to the MA border. It is now a huge regional amenity (drawing hundreds of thousands every year) both locally and for tourism into our state. It is a key link in the East Coast Greenway, a developing multi-use trail linking cities along the entire eastern seaboard. In CT, more than 75% of the 52 miles of this multi-use recreational trail is complete.

The issue is recreational liability. Specifically for us and the municipalities we serve, it is the protection afforded "paved sidewalks". At issue is the broad definition of these public areas. For instance, a substantial portion of the designated FCHT is on what many would consider "sidewalks" in Avon Center, from Sperry Park part Route 44, adjoining Route 10 from Ensign Bickford coming into Simsbury Center, and adjacent to Route 10 in Granby. Many off-road links to the FCHT, particularly in Farmington also fall under this too broad definition.

As you know, the more vulnerable a municipality is to personal injury lawsuits, the more likely it will be to close or limit public access to recreation lands. It will also have a chilling effect on the construction and funding of the remaining gaps in this important trail system. We urge you oppose this Bill which would put at risk the not only the municipalities that have created this crown jewel, but the trail system itself.

Sincerely,

R. Bruce Donald
President